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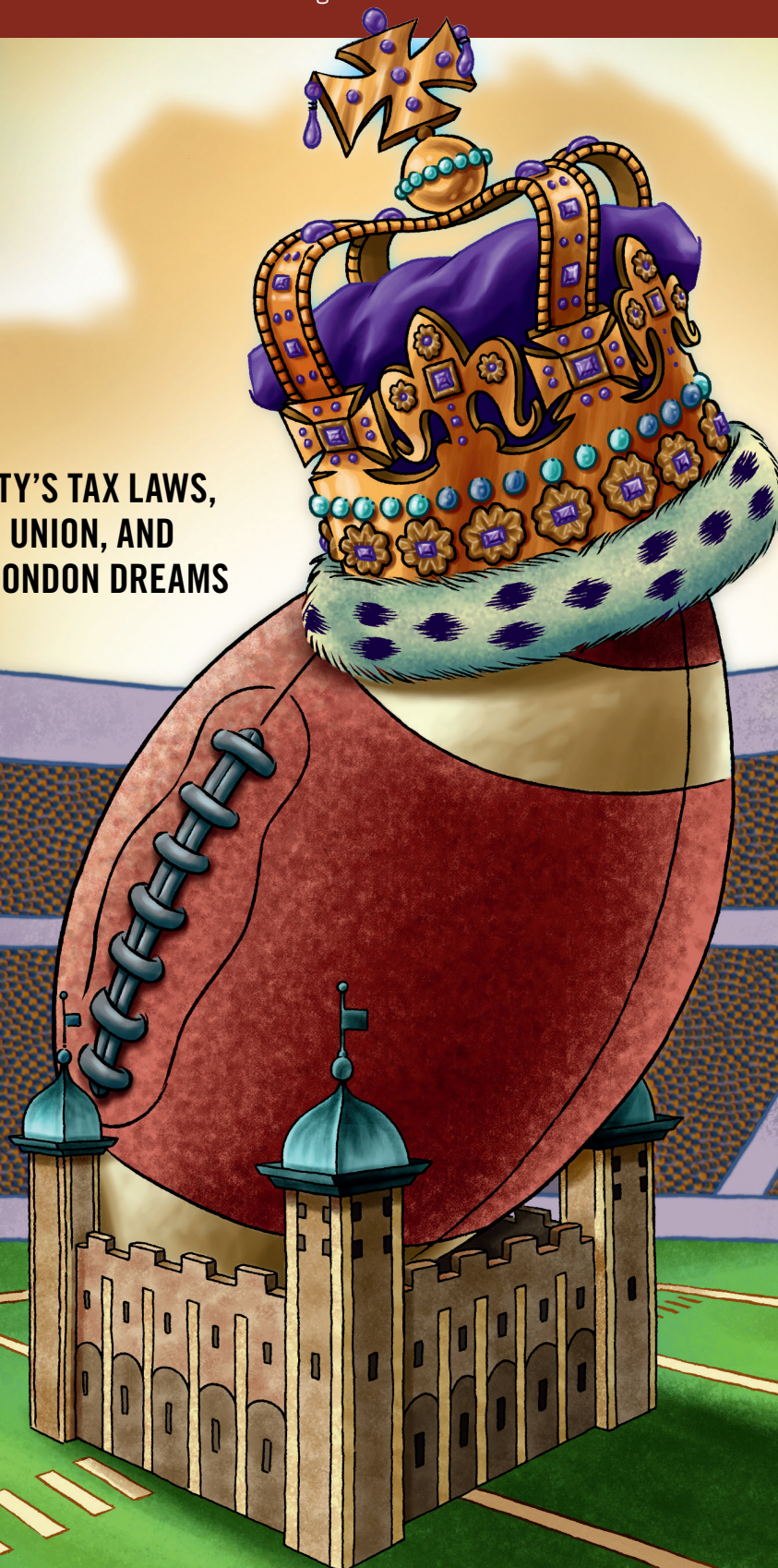
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RICHMOND LAW

The University of Richmond School of Law Alumni Magazine • Summer 2016

**HER MAJESTY'S TAX LAWS,
A PLAYERS' UNION, AND
THE NFL'S LONDON DREAMS**





Future, ho!

The mood at commencement was joyous for the 151 members of the Class of 2016. Twenty-five of them received the Carrico Center Pro Bono Certificate, representing almost 6,000 hours of pro bono service in the community. Read about the advice all graduates got from their commencement speaker, FBI director James Comey, on Page 4.

Photograph by Kim Lee Schmidt



Q&A with Wendy Perdue, dean



You have been dean now for five years. What is the biggest change you have seen in that time?

One of the biggest and most important changes at Richmond Law has been our first-year legal writing program. We set out to build the best legal writing program in the country, and I think we have succeeded. At the center of our program are five full-time faculty who spend an enormous amount of time working one-on-one with our students. We survey not only our students but also our employers, and the feedback we have received is outstanding. Here's what one of our students had to say: "Over the past year-and-a-half, I have participated in a judicial internship, worked in-house, and now at a firm downtown, and can say that the training we receive in our legal writing course during our 1L year is invaluable."

And employers have provided ringing endorsements: "I have done the coordinating of our firm's summer law clerk program for 12 years, and I can honestly say that your students stand out from those from other law schools. You are now our 'go-to' law school for hiring summer law clerks."

What other factors do you think contribute to such a positive impression among employers?

The changes in the writing program are part of a broader focus of assuring that all of our students get individualized attention and have the skills they

need to be successful from the start of their careers. Throughout the curriculum, faculty are increasingly incorporating skills and simulation components into their courses. And students are putting those skills to good use even before they graduate. For example, 28 members of the Class of 2016 tried a case during their time at Richmond Law. That's pretty remarkable.

Are there other changes you are proud of?

We have added a program in D.C. that allows 3L students to spend an entire semester working for a government agency, and we have expanded our summer fellowship program to assure that every student can afford to take an unpaid summer legal job.

What's coming up?

We are continuing to see a growth in our public service programs. Here's an impressive figure: 16,000. That's the number of hours of legal service provided by our students through our clinics and Pro Bono Center in a school year. Our students are doing everything from trying criminal appeal cases to assisting startup businesses with trademark issues. And on top of all that, we are excited to have three excellent new faculty joining us this fall.

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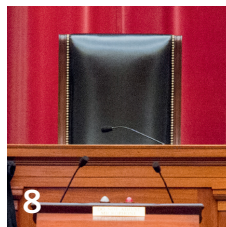


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Sleep. Live. Love.

The surprising advice that FBI director James Comey offered Richmond Law graduates at commencement



KIM LEE SCHMIDT

For his Richmond Law commencement address, James Comey, director of the FBI, brought advice that you're unlikely to read in one of his agents' training manuals: Get some sleep. Keep a life outside of work. Love someone.

If you do those things, you will nurture your judgment, an attribute of successful people that is rarer than intelligence, he said.

"When you're graphing something, very intelligent people can master a data set and show you the answer on a graph," Comey told graduates. "People of great judgment can look at that and say, 'That's what it says. Let me tell you what it means.'"

Comey, a former Richmond Law adjunct professor, offered a wide-ranging address that emphasized the importance of living a good life, both professionally and personally.

For him, that has meant public service. He offered the example of his own life, particularly his return to government service after leaving it twice.

"Both times it left a hole in my heart," he said. "It took me awhile the first time to figure out what was going on."

After that first departure, his life was good at a firm — "interesting issues, colleagues I really liked," plus a nice house and the other perks of a big firm — until one day his wife asked him, "What's wrong with you?"

After some self-examination, he returned to public service, replacing Professor John Douglass at the U.S. attorney's office in

Richmond. The change offered what he called "moral content, as obnoxious as that sounds." That, he said, was the missing piece in his life in his time away from public service. He urged graduates, as their careers develop, to pay attention to their inner voices and resist the "siren songs of prestige and money."

"At the end of your life, who cares about that stuff?" he asked. "What will matter in a real sense will come into view. Everybody's answer will be different in a different way."

On the night before the ceremony, 25 members of the Class of 2016 received the Carrico Center Pro Bono Certificate, representing almost 6,000 hours of pro bono service in the community.

¿hablas español?

Spanish legal skills in demand

A 2013 analysis by the Pew Research Center found that while two-thirds of U.S. Hispanics speak English proficiently, 73 percent speak Spanish in their homes.

These figures may explain why demand is growing for the Spanish legal skills course Richmond Law launched five years ago. The goals of the course are twofold, said Jim Gibson, associate dean for academic affairs.

"First, and most obviously, it familiarizes students with the legal vocabulary they need to serve Spanish-speaking clients," he said. "But just as important, it teaches them that the Spanish-speaking world has different cultural roles and expectations for the attorney-client relationship."

Students master Spanish-language legal skills through class discussions, role-playing exercises, quizzes, debates, and more, all in Spanish, of course. Each student also participates in the Virginia Hispanic Chamber of Commerce Pro Bono Legal Clinic.

"This innovative course helps ensure that our students have what they need to communicate with their clients both linguistically and culturally," Gibson said.

Bridge to Practice placements quadruple

A record 20 members of the Class of 2016 received Bridge to Practice Fellowships. Their placements range from the Harris County (Texas) district attorney's office to the disAbility Law Center of Virginia. Two fellows are in the Trial and Environmental sections of the Virginia attorney general's office; six are working for commonwealth's attorney

offices across the state; and five of their colleagues are on the other side of the aisle in public defender offices.

The 2016 placements bring the number of new Richmond Law graduates served by the Bridge to Practice program to 58 since its inception in 2012. The competitive program supports new graduates pursuing careers in government and public interest law through fellowship placements, funding, and enhanced career development services.

"The benefits of the program cannot be overstated when you look at the employment numbers for these fellows," said Tara Casey, director of the Harry L. Carrico Center for Pro Bono Service. "Our past students who used their fellowships to work on Capitol Hill or in a commonwealth's attorney's or public defender's office tell us that they would not have been hired but for their fellowship experience."

Colleges and copyright

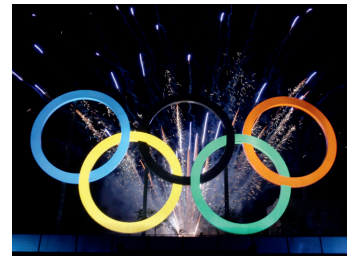
When college students download music and movies, it puts their institutions in a tough spot. On the one hand is the need to educate — and sometimes defend — students; on the other is concern about legal liability and risk management.

And the risks can be high: In 2013, a federal appeals court upheld a \$675,000 fine against a former Boston University student for illegally downloading and distributing 30 copyrighted songs. That worked out to \$22,500 for each song, *The Boston Globe* reported.

Through a recently awarded grant from the Center for Empirical Studies of Intellectual Property at the Chicago-Kent College of Law, Richmond Law professors Jim Gibson and Chris Cotropia are taking a closer look at how universities are anticipating and addressing copyright infringement taking place on their networks, including how they respond to Digital Millennium Copyright Act notices alleging such infringement. Their findings will be submitted to the U.S. Copyright Office in the fall to assist in its evaluation of the DMCA.

RESEARCH

Shining a light



Brazil's president has been suspended from office, its economy is in deep recession, and corruption scandals are ensnaring leading politicians without regard for political party.

This is not the moment for which Brazil was hoping when it won its Olympic bid in 2009, but a multi-year study is giving Professor Andy Spalding a counterintuitive take on Brazil's current troubles.

"Though the nation is seemingly in crisis, the scandals are actually evidence of newly enacted anti-corruption laws taking effect," he writes on a blog tracking the anti-corruption research that he and a group of Richmond Law students have undertaken.

On the blog, Spalding and the team of eight students have been releasing chapters of *Olympic Anti-Corruption Report: Brazil and the Rio 2016 Summer Games*, an e-book that results from their study of the nexus between international sport and corruption. The research included a two-semester course and a weeklong trip to Brazil to closely examine anti-corruption reforms put in place as Rio prepared to host the games.

"The media are failing to grasp the true meaning of this Brazilian moment," they write in the preface. Official corruption is nothing new in Brazil. The point, they say, is that the law is now challenging it.

"This moment in Brazilian history marks not the nadir of government accountability, but rather its apex; not a failure for the rule of law, but a success."

The full report and video dispatches from Spalding are available at law.richmond.edu/olympics.

SPEAKER

Justice Cameron

In 1999, when Justice Edwin Cameron was first nominated to the Constitutional Court of South Africa, he announced to the public that he was HIV-positive.

"It's stunning to contemplate a judicial nominee speaking out on a topic of this nature," said Wendy Perdue, Richmond Law dean, when she introduced Cameron to an audience of students, faculty, and community members in April. "But for Justice Cameron, this was a step that was entirely consistent with the life he's led working tirelessly for the transformation of the South African legal system from its role as an instrument of oppression to being a vehicle for justice."

Cameron was part of the negotiations that helped secure LGBTI rights in the South African Constitution following apartheid; he discussed the process at Richmond Law as part of the Emanuel Emroch Lecture Series.

"We made the argument that it was easy for the negotiators to recognize the obvious forms of traditional burden — race and gender — in South Africa," Cameron said, "but we said the difficult case is the case of sexual orientation, which is a variant of discrimination, equally pernicious, and is going to test the constitution's equality aspirations."

The argument succeeded. South Africa has the first constitution in the world to include "sexual orientation" in its equality clause.

During his visit, Cameron spent time in conversation with students and faculty and joined in a human rights law class. He also received Richmond Law's Green Award for Professional Excellence.

Untangling legal issues for new entrepreneurs

Sometimes, the cliché win-win applies nicely. Such was the case when students in Richmond Law's Intellectual Property & Transactional Law Clinic met with Richmond residents with young businesses launched with the help of RVA Works, an initiative of the Richmond Economic Development Authority.

The business owners came from various business backgrounds, from social media to construction, from composting to perfume making. Many also came from low-income households, an area of focus for RVA Works. The meeting with Richmond Law students was an opportunity for them to learn the initial steps they needed to take to establish and protect their brands.

For the Richmond Law students, the meeting was an opportunity to develop skill carefully unpacking legal terminology and processes in ways that will one day serve their clients.

Travis Bice, Alan Carpenter, and Bradford Schulz, who all graduated in May, created an original presentation that broke down trademarks for first-time business owners.

"We tried to come up with some kind of creative backstory" to make the material more accessible, Carpenter explained.

They created case studies of two fictional characters facing the complicated world of trademark law. The idea was to take the students' education on trademark law from theoretical to practical, explained Ashley Dobbs, director of the clinic and assistant clinical professor of law.

The students then fielded questions from the business owners: What about patents? What happens to the trademark if the business closes? What's the difference between a word mark and a design mark? Can packaging be a trademark?

In the end, they accomplished their professor's goal: "To really consider the legal issues for small, low-budget startup businesses [and] to get asked those tough, real-world questions firsthand."



In memoriam: Peter Swisher

On June 15, not long after the spring semester, Professor Peter Swisher passed away.

"In his 42 years on the faculty at Richmond Law, Peter taught and inspired thousands of students with his deep knowledge, good humor, and care for his students," wrote Wendy Perdue, dean, in her announcement to Richmond Law faculty and staff.

When Swisher started teaching at Richmond Law as an assistant professor, Richard Nixon had just resigned the presidency, but Franklin Delano Roosevelt appointee William O. Douglas was still on the Supreme Court.

First appointed to the faculty in 1974, Swisher twice received the University of Richmond's Distinguished Educator Award, in 1994 and 2002. In 2009, the Virginia State Bar's Family Law Section gave him its lifetime achievement award.

After teaching generations of Richmond Law students in courses on family law, torts, and insurance law, he began his retirement in February and was awarded the rank of professor emeritus.

"Pete literally wrote the book when it comes to both torts and family law in Virginia, authoring dozens of casebooks, articles, and chapters," said Corinna Lain, professor and associate dean for faculty development. "He's also one of the most beloved professors I have seen in my 15 years at Richmond Law. He will be sorely missed."



Q&A: Bryan Stevenson

The author of *Just Mercy* and founder of the Equal Justice Initiative visited Richmond Law in February as part of the University's One Book, One Richmond series.

How do you think racism and fear persist in the criminal justice system?

We're just beginning to appreciate the damage we're doing by having the highest rate of incarceration in the world. In a punitive society like ours, there is no space for shame. There is no space for error. That creates a very dangerous place because we don't acknowledge or learn from our mistakes. Fear and anger don't lead to growth and prosperity. They lead to abuse and misconduct.

Why do we keep failing to improve the judicial system?

We're good in this country with success. We've got a songbook that's deep and rich and wide when it comes to our successes, but we've never really collectively understood the importance of shame, in my opinion. We think that shame is indicative of weakness, but if you don't learn to say, "I'm sorry," you can't grow.

Is the death penalty ever justified?

No. And for me the death penalty isn't about whether people deserve to die for the crimes they commit, but I think the question is, "Do we deserve to kill?"

When you have a system of justice that treats you better when you're rich and guilty than when you're poor and innocent, when you have a system that's been politicized, that's compromised by our history of racial inequality, you just don't deserve to kill.

What can average people do with the knowledge of a broken justice system?

If we succeed in reducing over-incarceration, then we're going to have to figure out how to help hundreds of thousands of people recover from decades of confinement in institutions that largely did nothing but aggravate what sent them there in the first place. And that's something that anyone can do — it's life skills, support, encouragement, guidance, employment, and education.

Your book carries with it a message of hope. Where does yours come from?

Despite the challenges that we face in this nation, I've had the great privilege of getting a lot of people released from prison who were wrongly convicted. When they walk out, it's this triumph that cannot be measured. It's unparalleled.

BOOKSHELF

Faculty picks



Muse Law Library took a novel approach to National Library Week in April: It asked faculty and staff what they were reading and why.

The "why" said as much as the "what." Only five of the 50 respondents suggested books they were reading for work. The rest offered ones they were reading for fun, to learn a new skill, or because of a recommendation. One chose a particular book "because they made a movie out of it" and another "because I wanted to see what the big deal was."

As you'd expect, some of the books leaned legal. There was Wil Haygood's *Showdown*, a biography of Thurgood Marshall that focuses on his five-day Senate confirmation hearing, and Linda Hirshman's *Sisters in Law*, about the relationship between Sandra Day O'Connor and Ruth Bader Ginsburg.

Politics and political history were also well-represented. *The Cigarette Century* by Allan Brandt and *Factory Man* by Beth Macy both examine the power of big business and resistance to it. *John Adams* by David McCullough and *The Passage of Power* by Robert A. Caro focus on two U.S. presidents.

Other books fell delightfully farther afield. David Wong's novel *Futuristic Violence and Fancy Suits* features superhero costumes and a cat named Stench Machine.

Someone also recommended *New York Times* bestseller *Big Stone Gap* by Adriana Trigiani, sister of Pia Trigiani, L'83. Its story of a self-proclaimed spinster in the mountains of western Virginia was adapted into a 2016 film starring Ashley Judd and Patrick Wilson. No word if that's what the big deal was.

COURT WATCHERS



Richmond Law faculty weigh in on the implications of recent Supreme Court cases — including some still being decided as they were writing.

INTERVIEWS BY EMILY CHERRY

If you want a window into the Supreme Court's thinking, take a look at the cases it takes up, says Corinna Lain, professor of law and associate dean for faculty development.

"The court gets so many petitions asking for review and takes so few of these cases," she said. "The cases it does take say something about what's bothering it, what's interesting to it, what it feels the need to monitor."

We asked her and a few other faculty experts to weigh in with their picks for the most significant Supreme Court

rulings of the past term. It was a high-wire act; some of these cases would be decided just as this issue went to the printer. While the faculty wouldn't know the outcome, readers would by the time this magazine hit mailboxes.

Through their eyes, we take an up-close look at cases on issues from bribery to birth control, from the death penalty to the electric grid. In the process, we get a better sense of the repercussions of these cases and how law faculty think about the work of the court.



ANSWERS DELAYED AS INNOVATION MARCHES ON

Joel Eisen

Two Supreme Court decisions from this past term — *Federal Energy Regulatory Commission (FERC) v. Electric Power Supply Association (EPSA)* and *Hughes v. Talen Energy Marketing* — made a profound shift in the distribution of regulatory authority between federal and state governments in the ongoing dramatic transformation of the nation's electric grid.

Although most people haven't noticed, the system of bringing electricity to homes has already changed radically in the past 20 years. One significant development has been the emergence of wholesale electricity markets, driven by federal regulations, which serve about two-thirds of the nation. Like a Sam's Club or Costco setup, utilities that need to serve their customers buy electricity in these markets at the lowest cost.

Both decisions affect these markets and are essentially flip sides of the same coin. *FERC v. EPSA* upheld FERC authority under the Federal Power Act to promote energy conservation through "demand response" in the wholesale markets. *Hughes* dealt with an issue *FERC v. EPSA* left unresolved: states' jurisdiction over the grid when the federal government is invoking its FPA authority. Putting the decisions together means that instead of a bright line between federal and state regulators, the two levels of government now share authority and can take actions concurrently.

The decisions' real implications will be known when changes taking place on the electric grid come to fruition. People are installing solar panels on their roofs, buying electric vehicles, thinking of putting storage in place, and perhaps even contemplating arbitraging sales to and from the grid. *FERC v. EPSA*'s long-run significance is that FERC is involved when consumers buy electricity from their utilities and simultaneously act like prosumers and sell it back. It now has authority over a wide variety

of situations where people could buy and sell electricity to each other.

In years to come, we'll see how much states can do to regulate these same developments. *Hughes* struck down a Maryland law that aimed to subsidize new power plants in the state. The court rejected that as interfering too much with the wholesale markets, but it left open how much states could otherwise do.

This matters because the states are acting boldly. Right now, several states are trying to prop up aging power plants with subsidies that might be invalid after *Hughes*. Meanwhile, California and New York are working on programs to transform the entire architecture of how electricity is delivered to customers. How *FERC* engages with these state initiatives will have multibillion-dollar consequences, but the court has left ultimate answers to another day.

WHEN NINE BECAME EIGHT

Kevin Walsh

In the *Hobby Lobby* case decided two years ago, the Supreme Court held 5-4 that the Religious Freedom Restoration Act prohibited imposition of a mandate on non-exempt, non-accommodated employers who objected on religious grounds. The mandate required certain employers to include coverage for all contraceptive drugs and devices at no additional cost to the insured. The court reasoned that the government had a less burdensome way of accomplishing its objective, namely an alternative means of compliance offered to the nonprofits.

Zubik v. Burwell, also known as the Little Sisters of the Poor case, was about the legality of that alternative means of compliance. I served as a co-counselor representing the Little Sisters in this case. The Little Sisters and other religious employers argued that the alternative arrangement also violated the Religious Freedom Restoration Act. Our case was



just one of dozens brought on behalf of hundreds of religious nonprofits. The lower courts were split, but the consolidated cases that went up to the Supreme Court were all ones in which the religious employers had lost.

Most expected a 5-4 decision but were unsure of which way it would go. Justice Antonin Scalia's unexpected death 10 days before oral argument led to speculation of a possible deadlock. But then something else unexpected happened. The week after oral argument, the Supreme Court ordered supplemental briefing. The court's order proposed yet another way of getting coverage to employees of the religious employers and asked the parties whether this other way was acceptable. Both said "yes, but ...," and included various refinements.

That unusual supplemental briefing order laid the groundwork for an unusual decision. In an unsigned opinion, the Supreme Court unanimously vacated the government's wins in the lower court and sent the cases back down for the lower courts to re-evaluate in light of the parties' contentions.

Was the Supreme Court's judgment a result of the 4-4 split left by the death of Justice Scalia? It's hard to say for sure, but that's a likely explanation when you put together the unusual nature of the court's disposition with the prospect that on the merits they may have been deadlocked. If there were a ninth justice, we probably would have seen the same lineup and the same disposition as in the *Hobby Lobby* case.

THE MESSY STATE OF THE DEATH PENALTY

Corinna Lain

This term we see the Supreme Court's continued interest in — and discomfort with — aspects of the death penalty's administration.

Consider the case of *Foster v. Chatman*. In this death penalty case, the state used its pre-emptory

strikes to strike from the jury all four black prospective jurors. The defendant claimed it was racially motivated, but the trial court rejected the claim, as did the Georgia Supreme Court.

On habeas, however, the defendant's attorney found, in the state's file in his case, copies of the jury list in which the name of each black prospective juror was highlighted in bright green with a legend indicating "represents blacks," together with a note from one of the investigators that stated, "If it comes down to having to pick one of the black jurors, this one might be OK." Notes identified the black jurors as B1, B2, B3, B4, with an "N" for "No" appearing next to the names of each. Finally, it contained questionnaires filled out by the prospective jurors with the race circled on all four of the black prospective jurors' questionnaires.

Yet the Georgia Supreme Court denied even the certificate of probable cause necessary to file the appeal. It's a horrendous case. And the claim was shockingly blatant. So there's this sigh of relief when the Supreme Court reverses, but also it's significant; it says something that it took the Supreme Court's involvement to get this right.

Other cases also show the ugliness of the death penalty's administration in practice. In *Williams v. Pennsylvania* [which had not yet been decided as of this writing], the condemned inmate claimed a constitutional violation because a state supreme court justice reviewing his case had personally approved the decision to pursue his case capitally in his prior capacity as an elected prosecutor and had referenced the number of defendants he had sent to death row during his subsequent judicial election campaign, including naming Williams. The justice's refusal to recuse himself is just astounding.

Then there is *Kansas v. Carr*, in which we see the Supreme Court's reluctance in all but the most egregious cases to step in and overturn death sen-



tences. In *Kansas v. Carr*, the Supreme Court held that the Eighth Amendment does not require courts in capital cases to instruct juries that mitigating circumstances need not be proved by a reasonable doubt, although jurors could easily think otherwise. Here we have a trial court refusing to give an instruction that clarifies the law to the jury, and the U.S. Supreme Court saying that's fine. In my mind, that's deeply troubling.

Taken together, these cases are a nice example of the Supreme Court's continuing discomfort with the way the death penalty plays out in practice. That may be a reaction to 2014's spate of botched executions by lethal injection, which brought an enormous amount of bad publicity to the death penalty. This spotlight on the death penalty may have caused the Supreme Court to take a closer look, too.

MONEY, POLITICS, AND THE BLURRY LINE BETWEEN THEM

Hank Chambers

The *McDonnell v. United States* case may end up being one of the most significant, if not the most significant, cases of this past term. The problem that arises in *McDonnell* is you have to figure out how money and politics work together — or at least, that's what folks have argued that *McDonnell* is about.

What the case is really about is whether you can, as a public official, take money and do favors for people as a result of taking that money.

The Supreme Court may view the case as being about whether campaign finance or general money that goes back and forth in a shadowy way in politics is the issue. But really the case boils down to specific statutes that seem to stop bribery.

So as a consequence, what the court will decide and will not decide are key issues. [This case had not been decided as this issue went to press.] The court

may decide that it's going to change the way we view the Mail Fraud Statute and the Hobbs Act. Both of those statutes essentially stop public officials from taking bribes — that is, from taking money from someone in exchange for engaging in “official acts.”

Here's the problem: The statute defines official acts in a very fuzzy way. Folks have argued that the *McDonnell* case was really about nothing more than politics as usual. By “politics as usual,” the suggestion is that money just flows with politics: Sometimes you get favors; sometimes you don't. In the *Citizens United v. Federal Election Commission* case, the court seemed to suggest that mere ingratiation payments or campaign contributions are not actual corruption — but to be honest, those are very different from what we're talking about in *McDonnell*.

Here is why *McDonnell* is so important: If the court decides that the Hobbs Act and the Mail Fraud Statute — or at least the honest services part of the Mail Fraud Statute — no longer cover what they have historically covered, that's a blockbuster. If the court goes in that direction, who knows what other somewhat unclear statutes it will decide to rewrite.

On the other hand, the court could well decide that *McDonnell* was guilty, uphold his sentence, but continue to throw shade at the statute, essentially saying, “We're not sure about what happens in the next case.” This would tell federal prosecutors that they need to be clearer about why they're prosecuting and why a particular public official needs to be prosecuted. That would be an interesting take for the court.

Lastly, the court could be fairly clear. It could affirm the conviction and say that *McDonnell* is guilty and that the statute is not all that unclear. That would be the least momentous ruling for the court to make. Frankly, some folks would argue that if they did that, they should have never taken the case in the first place. ■

"YOU HAVE CANCER"

*How the law can make the workplace
more survivor-friendly*

BY ANN C. HODGES

ILLUSTRATION BY KATIE MCBRIDE



Faced with a cancer diagnosis, chemistry teacher Walter White, protagonist of the television show *Breaking Bad*, turned to the drug trade to provide financial security for his family. Real-life cancer patients do not need to “break bad” to relate to his dilemma. The financial problems that accompany a cancer diagnosis are all too real.

Cancer is no longer an automatic death sentence. It has become, for more and more patients, a chronic disease, but the advances that prolong lives come with substantial costs. Cancer treatments are expensive, and not all are covered by health insurance. During and after treatment, patients must continue to support themselves and their families. For most, that requires continued employment.

Yet, finding and maintaining employment is a high-stakes challenge for many patients undergoing cancer treatment. As former Justice Sandra Day O'Connor discovered during her own cancer treatment, working can assist in battling cancer: “As tired and stressed out as I was, I had a job that was hard and important and was always there for me to do,” she said publicly in 1994, according to *The Wall Street Journal*. Loss of employment may mean loss of health insurance, leading to difficulties in paying for treatment and necessary follow-up. Reduced employment results in credit problems and bankruptcy.

Cancer imposes significant costs on both the individuals involved and society at large. Individuals with cancer must survive not only the cancer itself, but its financial challenges. Since the lifetime risk of a cancer diagnosis is one in two for men and one in three for women, any of us could be the next person to hear that three-word, life-changing diagnosis. We all have a stake in whether the law can make workplaces more survivor-friendly.

CANCER, WORK, AND FINANCIAL HEALTH

According to the American Cancer Society, there are more than 14.5 million cancer survivors in the United States, and another 1.7 million people will be diagnosed with cancer in 2016. Survival rates are increasing dramatically for many of the most common cancers. While some survivors are retired and others are children, many are of working age. The cost of lost productivity from cancer exceeds the cost of treatment. Lost full or partial workdays, reduced productivity on workdays, and deterrence from job change that can prevent the best use of employee talents are costly. In addition, cancer

increases the probability of bankruptcy and home foreclosure.

For an individual with cancer, the relationship between cancer and work is complex. For some, like Justice O'Connor, work can be a source of normality and distraction. Cancer can prompt changes to a more desirable job or lead to more leisure time, where financially feasible. For others, work is a necessary evil for maintaining financial stability and health insurance, even if it hampers treatment and recovery. For some, work may simply be impossible. Continuing to work through treatment might solidify an employee's relationship at the job, while those who cease working, even temporarily, may find their career trajectories permanently altered. Research shows that patients' employment situations significantly impact their physical health, not just their financial health.

The type of cancer and the type of treatment are important variables in determining whether individuals can work during and after treatment. Some cancers are more debilitating than others, as are some cancer treatments. Residual physical and psychological symptoms can impact the ability to work long after treatment has ended.

Not surprisingly, those who have more physical jobs are less likely to work after a cancer diagnosis, as are low-income workers. Low-income workers are almost certainly less likely than Justice O'Connor to find that their employment helps in their battle with cancer. Just the opposite. Low-income workers frequently lack benefits like health insurance and are more likely to be eligible for government benefits to assist in their support and treatment, both of which significantly reduce incentives to maintain employment.

Higher-income workers tend to fare better both on the job and in the doctor's office. Health insurance improves the health outcomes of cancer patients, and workers with employer-provided health insurance are more likely to remain employed and to work more hours than those with health insurance from another source. Further, survivors with employer-provided health insurance change jobs less often. But these benefits can be a double-edged sword. Despite legal protections, fear of losing employer-provided health coverage when changing employers or leaving a job can prompt individuals to keep working when they need to leave for their health.

The one thing that helps level the field — regardless of the type of work performed, the type of cancer involved, or the demographics of the employee — is employer support and accommodation. As one might expect, support from the employer is

IMPROVING THE SURVIVOR'S

THE AMERICANS WITH DISABILITIES ACT AND THE FAMILY AND MEDICAL LEAVE ACT

Both offer some **assistance**, but
both have **gaps** in protection

ADA

Prohibits discrimination against individuals with disabilities

Requires accommodation to enable them to do the job

Paid leave is not a required accommodation.

Applies to more employers than the FMLA

Still exempts businesses with fewer than 15 employees

Accommodations are evaluated on a case-by-case basis

When denied, requires judicial interpretation

Many courts defer to employer arguments that existing policies and practices are essential.

FMLA

Twelve weeks of job-protected unpaid leave annually

Covers employees who have worked for at least one year

Does not cover people who have been on the job for less than one year

Applies to employers with 50+ employees

Exempts businesses with fewer than 50 employees

Exempts part-time employees who work less than 1,250 hrs/yr

Paid leave is not required.

Maintains health insurance during leave

States with mandatory paid leave may provide only limited leave.

Allows intermittent leave

JOB LOSS

BANKRUPTCY

PRODUCTIVITY LOSSES

FORECLOSURE



JOURNEY BACK TO WORK

MODIFICATIONS TO THE LAWS COULD
HELP PROTECT SURVIVORS

WELCOME BACK!



ADA
Independent judicial
interpretation
of what is essential
to doing a job

FMLA
Require paid FMLA leave

Apply to companies with
25+ employees, not 50+

Extend eligibility to
employees after six months

Reduce number of hours
required for part-time
workers to become eligible

Mandatory temporary
disability insurance program



PRODUCTIVITY LOSSES

FORECLOSURE

JOB LOSS

BANKRUPTCY

positively associated with continuing to work after a cancer diagnosis. Research shows clearly that flexible schedules, paid leave, assistance with certain work tasks, and control over the type and amount of work required are all particularly important in maintaining employment.

For both cancer survivors and society, there are benefits to keeping cancer survivors employed. Productivity losses and personal financial disasters such as bankruptcy and foreclosure are harmful not only to the survivors, but also to their families, employers, creditors, and neighbors. Without employment, survivors may be dependent on government benefits, which are costly for taxpayers.

TODAY ALONE, MORE THAN 4,000 PEOPLE IN THE U.S. HAVE HEARD THOSE LIFE-CHANGING WORDS: YOU HAVE CANCER.

Evaluating the costs to employers is more complex. In some cases, they may be required to retain a temporarily or even permanently less-productive employee. Such employees can increase the cost of employer-provided health insurance, particularly for smaller employers. On the other hand, retaining a temporarily less-productive employee saves the cost of hiring and training a replacement. The ideal solution is one that balances these interests.

THE LAW AND EMPLOYMENT OF CANCER SURVIVORS

As a lawyer and cancer survivor, I have seen the challenges of cancer firsthand. It is why I helped create LINC (www.cancerlinc.org), an organization that assists cancer survivors with legal issues. I am intrigued by the potential for law to further assist those cancer survivors who want or need to remain employed.

Currently, a patchwork of federal and state laws provides some protection for cancer survivors. The Americans with Disabilities Act and the Family and Medical Leave Act both offer some assistance, but both have gaps in protection that could be filled to better meet the needs of cancer survivors.

FMLA provides 12 weeks of job-protected unpaid leave annually to employees with serious illness who have worked for at least a year for an employer

with 50 or more employees. Two of the law's other benefits are particularly significant for cancer survivors — continued health insurance during the leave and the option of intermittent leave, which may be used for treatments such as radiation and chemotherapy that require intermittent absences.

However, there are significant gaps. People who work for small employers and those who have been on their jobs for less than a year are left out of FMLA coverage. In addition, many part-time workers are uncovered because they did not work 1,250 hours in the past year, another threshold for FMLA eligibility. Workers with cancers requiring longer treatment or extended absence for recovery have no job protection at the end of the 12 weeks.

And, perhaps most importantly, FMLA leave is not paid. Workers must rely on their employer-provided paid leave, if they have it. For many workers with limited financial reserves and minimal employee benefits, unpaid leave has very little value. While a few states and localities have passed mandatory paid leave laws in recent years, most offer very limited leave. Connecticut, for example, provides five days per year. Few cancers can be treated that quickly.

The Americans with Disabilities Act (ADA) is similar — some valuable protection, but important gaps. The law prohibits discrimination against individuals with disabilities and requires accommodation to enable them to do the job. It applies to more employers than the FMLA but still exempts the smallest businesses, those with fewer than 15 employees. For cancer patients, the law had limited value before 2008, when Congress broadened the disability definition in a way that covered most cancer survivors.

Still, significant gaps and uncertainties remain. The primary issue for cancer survivors in ADA cases after 2008 is the judicial limitations on the accommodations required. The accommodations that cancer survivors identify as the most important for preserving employment are flexible schedules, paid leave, assistance with work tasks, and control over amount and type of work. Paid leave is not a required accommodation, but each of the others may be, based on a number of factors.

These accommodations are evaluated on a case-by-case basis. When they are denied, they require judicial interpretation of considerations such as reasonableness and undue hardship. The issue is further complicated because under the ADA, individuals must be able to perform the essential functions of the job, with or without reasonable

accommodation. For example, consider a cancer patient who asks an employer for a flexible schedule to accommodate chemotherapy treatments and the resulting fatigue. If the court finds that following the existing work schedule is an essential function of the job, then the employee is neither entitled to accommodation nor protected from termination for not following the existing schedule.

Using this analysis, some courts have held that attendance policies, overtime requirements, and shift starting times don't require adjustments to accommodate individuals with disabilities. While there are certainly jobs where solutions such as telecommuting and schedule adjustments are not possible — a bus driver, for example — there are others where accommodation might require a change in workplace structure that doesn't impose a substantial hardship on the employer. Many courts show excessive deference to employer arguments that existing policies and practices are essential. This deference further threatens cancer survivors' ability to access the protections offered by the ADA.

MODIFYING THE LAW TO BETTER PROTECT CANCER SURVIVORS

Given these limitations of current law, what changes would aid cancer survivors in retaining employment?

Reducing the eligibility requirements for FMLA leave would be a good start. A 25-employee limit for coverage and a six-month tenure for eligibility, as well as reduction in the work hours required for leave eligibility, would include more workers while still exempting smaller employers that can least afford to lose a worker. The ADA already requires employers with 15 or more employees to provide leave as an accommodation if it is reasonable, so this reduction is not a substantial burden. Extending the amount of leave would also be beneficial, with an exception similar to the ADA's undue hardship exception for accommodations.

Requiring paid FMLA leave would be even more valuable to cancer patients in the workplace. Notably, the U.S. is one of the few developed countries that does not offer some sort of guaranteed paid leave for illness, whether through the employer, a social insurance program, or a combination of the two. Mandatory paid leave would be especially valuable to lower-wage employees, who rarely have employer-provided paid leave and can ill afford to lose pay. One creative option for providing paid leave would be a mandatory temporary disability insurance program funded by employee and/or

employer contributions. Several states already have such systems, providing partial wage replacement for up to one year.

These changes will impose some cost on employers, but evidence of the impact of existing leave laws shows that employers adjust to leave requirements with limited disruption. Some employers report that morale and employee motivation increased with provision of paid leave. Further, the costs of leave are a very small part of labor costs.

As for the ADA, proper judicial interpretation of the law could go a long way. Courts should not treat the employer's existing policies and workplace structures as the final word. Instead, the courts should consider whether any change in those policies and structures to accommodate the survivor — such as extended leave, a modified schedule, or telecommuting — is reasonable given the particular job and the needs of the employer. This change does not require any legislative action; indeed, some courts are already correctly interpreting the law.

THE LIMITS OF LEGAL CHANGE

These recommended changes are not a panacea. The law cannot affect every factor that determines whether a cancer survivor can stay on the job. Some cancer survivors will be unable to work regardless of the leave or the accommodations provided. To prevent personal financial disaster for those individuals and their families, other interventions will be necessary. Additionally, no mandate can ensure that cancer survivors will receive emotional support from employers and co-workers. In fact, just the opposite may happen; requiring greater accommodations may provoke resentment.

This is where organizational leadership has a role to play. Cancer respects no position or authority; its very ubiquity may help foster change.

We all have a stake in making the workplace more supportive of cancer survivors. Today alone, more than 4,000 people in the U.S. have heard those life-changing words: You have cancer. For them, these struggles are just beginning, and simple changes in the law can help them. ■

Ann C. Hodges teaches and writes in the areas of labor and employment law and nonprofit organizations at Richmond Law. This article draws from her more extensive paper "Working with Cancer: How the Law Can Help Survivors Maintain Employment," which appears in Volume 90 of Washington Law Review.



LONDON CALLING?

By DAVID DRIVER | Illustration by KELLY ALDER

With a little ingenuity, Travis Ward, L'15, turned a class exercise in sports law into a real-life professional opportunity when he researched the legal issues involved in an NFL franchise relocating to London.

IT ALL BEGAN AS A RICHMOND LAW CLASS ASSIGNMENT.

Then Travis Ward, L'15, went way beyond that and did his own independent study on the topic.

"It started out as a fun project," said Billy Raska, L'15, a classmate. "I thought it was impressive the interest he showed."

And that extra legwork helped Ward become more interested in the National Football League, where he is now working full time — for an organization that he targeted — as coordinator of labor policy and league affairs.

"Essentially a job working in compliance with the NFL," Ward said.

"He figured out what to do, to sell

himself to the NFL," said Ann Hodges, one of his Richmond professors. "I think that is so smart to find out, 'How can I add value to something?' It is such a good exercise to figure out what your goal is and how to go about it."

...

The project in question was the feasibility of relocating an NFL franchise.

"I was taking a sports law class at Richmond, and we had to do a project as our final paper," Ward said. "My group wanted to do something different."



His professor was Vernon E. Inge Jr., who was impressed with Ward as a student. A 1988 Richmond graduate, Inge has been with LeClairRyan in Richmond since 1995 and has taught at Richmond Law as an adjunct professor for more than 10 years.

Ward “was very detailed-oriented,” Inge said. “He did a very good job on his research. His group picked the relocation of the Rams, who were in St. Louis at the time. They got to pick their roles, and he chose London.”

East would cut down on air travel when compared to other divisions in the NFL, including the Central and West.

“The chips were stacked against me, but I did thorough research and prepared well-reasoned arguments that explained why London was the perfect fit for the Rams,” Ward said. “Even the arguments made by the Los Angeles rep as to why London was unfit didn’t faze me. I anticipated arguments made against London and countered them with evidence

“ULTIMATELY, THE RAMS CHOSE LONDON AS THEIR NEW CITY [IN THE SIMULATION]. AND WHEN WE PRESENTED OUR ARGUMENTS TO THE CLASS FOR THEIR VOTE, THEY CHOSE LONDON AS WELL.”

Another member of the three-student group took the position of trying to attract the Rams to Los Angeles — a move that happened in real life earlier this year; a third student represented St. Louis in an effort to keep the team in that city.

“They had to go out and see what the rules are,” Inge said. “Travis went out and did a lot of research on the city of London, such as how many American-born people live there and may be interested in supporting a team.”

Ward had some background with the NFL and Europe before the London NFL project. He grew up in Fluvanna County, Va., playing ice hockey and lacrosse in his youth, but his father was a fan of the Dallas Cowboys. Ward grew up following the Baltimore Ravens — and thus developed an early attachment to the NFL. He studied in Italy in high school and then in France during his sophomore year of college.

“While in France, I studied the EU and Council of Europe, as well as a comparative course on the legal systems of the U.K., France, and Germany, three of the most well-established in Europe. It was this interest in studying law that led me to the University of Richmond. That and the beautiful campus and friendly staff, which drew me in instantly,” he said.

In the class project, Ward went as far as putting the London team in the AFC East division of the NFL, which currently includes the New England Patriots, New York Jets, Buffalo Bills, and Miami Dolphins. Putting the London team in the AFC

denouncing L.A.’s arguments and supporting a bid for relocation to London.”

“Ultimately, the Rams chose London as their new city [in the simulation]. And when we presented our arguments to the class for their vote, they chose London as well,” he added. “I felt a great sense of accomplishment winning over a group of 20 law students but also felt a bit dissatisfied, as I was not able to explore many areas of international expansion that came up through my research. I decided to tackle those on my own.”

...

The idea of an NFL home team in London is not as far-fetched as it might have sounded a decade ago. Since the league launched its International Series in 2007, 20 franchises have played in 14 regular-season games in London’s Wembley Stadium. Attendance at those games averaged better than 83,000.

In April, NFL commissioner Roger Goodell told Jacksonville Jaguar season ticket holders “that it’s a very ‘realistic’ possibility that London will eventually land an NFL franchise,” according to CBS Sports. The same CBS Sports report quoted owners of the New England Patriots and the Cincinnati Bengals saying they thought a London team was feasible.

“My hunch is that it will be sooner than most people think,” said Bengals owner Mike Brown.

The devil, they agree, is in the details of issues like travel and employment and tax laws. Those were

gaps Ward began filling as he continued pursuing his class project as an independent research project, in part to catch the NFL's notice with his skill as a legal analyst.

"There were some stones that I had left unturned due to the short project: What are the geographical obstacles? What are the legal obstacles? From there I began to do my own research in the summer of 2014," he said. "That is when I started reaching out" to those involved in these deeper issues.

...

Ward's class had lasted only four months. He spent another two years digging deeper on his own into what it would mean for an NFL franchise to relocate to London.

One of the people Ward contacted was Oliver Luck, a former NFL quarterback who worked at West Virginia University, Ward's undergraduate alma mater. After the NFL, Luck had gone on to become general manager of two professional American football teams in Germany, as well as head of NFL Europe, a professional league that operated between 1991 and 2007. Ward also spoke with the first head coach and a former quarterback of the London Monarchs, as well as representatives from the British American Football Association, the U.K.'s governing body for American football, to learn how the game looked through European eyes.

He also took a hard look at the logistical issues — scheduling, travel, the location of spring training camps, and more. There was the vexing question of how to handle the preseason and postseason, when there are no bye weeks.

He began ironing out the details, even creating a schedule that involved fewer air miles than six current NFL teams travel. But in the process, he came to realize that the most significant hurdles might not be logistical, but legal. Moving a team to London would require compliance with U.K. — and, in those pre-Brexit days, European Union — labor and employment laws, immigration requirements, and tax codes. That would require revision to the NFL's Collective Bargaining Agreement with the Players Association. That led to more research, which he turned into a legal paper during an independent research course with Hodges.

"He had to deal with these issues," Hodges said. "He was entrepreneurial."

Hodges has been on the Richmond faculty for nearly three decades and does not recall another graduate working for the NFL. She had Ward in two of her classes, Employment Law and Nonprofit

Organizations, in addition to the independent study.

"Travis was one of those students who was quiet in class," she said. "But when you called on him, it was very clear he had read the material. He gave thorough answers."

Ward credits his time at Richmond, particularly an internship with Richmond athletics' compliance office, with helping him reach his goal.

"Everything I did was centered around sports, and I loved it," he said, speaking of the internship. "Even the most mundane tasks like updating spreadsheets that tracked the reception of compliance forms and processing transfer requests brought me joy. I learned a lot at the University of Richmond, and I knew that a career in sports was for me. ... [Professor] Vern [Inge] was another lawyer who was passionate about sports, and it showed in his enthusiasm in the classroom."

And he was tenacious. He applied twice to positions with the NFL but was turned down.

"As graduation got closer, it was something I wanted to happen," Ward said. "I wanted to work for the NFL. I fell in love with the research."

Serendipity intervened when his wife, who is from Manchester, England, got a job in New York City, where the NFL is based. "Even though I had not yet gained full-time employment, I decided to take the leap of faith," he said, "and we moved to the Big Apple in August 2015."

That dedication does not surprise his classmate Raska, who is now an attorney with a firm in New Jersey.

"If there was anybody who made [projects] work, it would be him," Raska said. "He would make sure it got done effortless and got done well."

On his third try, Ward finally secured a job with the NFL as a coordinator of labor policy and league affairs. The questions of relocation that fascinated him for so long are not part of his day-to-day work. He doesn't stand around the water cooler talking to colleagues about a London franchise, but he's not complaining.

"I absolutely love my job," he said. "I get up every day and look forward to going to work. I can absolutely see myself working at the NFL for the rest of my career, and I hope that is the case. I love the game of football, and it is an honor and privilege to work in football every day." ■

David Driver is a Maryland-based freelance sports writer. He writes for a variety of publications and regularly covers mid-Atlantic professional and collegiate teams, including the Richmond Spiders.

FACULTY BRIEFS

Faculty achievements, publications, and appearances



Ron Bacigal conducted his annual update on recent developments in criminal law and procedure

at the judicial conference for circuit and appellant judges. He was quoted in *The Washington Post* and *ABA Journal* on the “involuntary intoxication” offense in an abduction trial.

Carol Brown’s casebooks *Planning and Control of Land Development: Cases and Materials* (9th ed.) and



Experiencing House Law were published this year. Her article “Justice Thomas’ Kelo Dissent: The

Perilous and Political Nature of Public Purpose” was published in the *George Mason Law Review*.

Hamilton Bryson’s tribute to former Richmond Law professor **Rodney Johnson** was published in the *University of Richmond Law Review*.

Tara Casey was a panelist at the YWCA Richmond 36th Annual Outstanding Women Awards luncheon and was profiled for an article by the Richmond Justice project for her pro bono work.

Dale Cecka presented at several conferences in 2016, “Underserved Children are Not Served by Family Court” at the Mid-Atlantic People of Color Legal Scholarship Conference; “Feminist Judgments: Rewritten

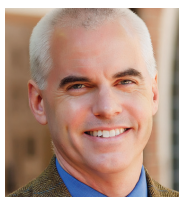
Opinions of the United States Supreme Court” at the AALS Joint Scholars and Scholarship Workshop on Feminist Jurisprudence; “Law Review to Op Ed: What’s Next?” at the Poverty Law: Academic Activism Conference at Seattle University School of Law; and “Custody and Child Welfare Cases: A Parental Defense Perspective” at the Reimagining Family Defense Symposium at CUNY. Her 2007 article “No Chance to Prove Themselves: The Rights of Mentally Disabled Parents Under the American Disabilities Act” was cited by the Michigan Court of Appeals.

Hank Chambers was a panelist in “Election Law at the Local Level” at the AALS Conference in New York. He was quoted in *The Virginian-Pilot* regarding Norfolk treasurer Anthony Burfoot’s trial, and in *The Roanoke Times* on the impact of Justice Antonin Scalia’s death on former Virginia Gov. Bob McDonnell’s appeal.

Christopher Corts was promoted to associate professor of legal writing.



Chris Cotropia and **Jim**



Gibson were included on a list of the most-cited intellectual property articles during the past five to 10 years. They were awarded a grant from the Chicago-

Kent Center for Empirical Studies of Intellectual Property to study how higher education institutions handle copyright issues. They also presented at a roundtable hosted by Cardozo Law, Northwestern Law, and the U.S. Patent and Trademark Office on a proposal for a study of how courts approach copyright infringement, and they hosted the Evil Twin Debate at the AALS Conference in New York in January.

Joel Eisen was quoted in stories in Bloomberg BNA, Greenwire, Intelligent Utility, and Law360 on the Supreme Court actions on the EPA Clean Power Plan, *FERC v. Electric Power Supply*



Association, and *Hughes v. Talen Energy Marketing*. He was a panelist at the Future Grid Conference at the University of Colorado School of Law and was one of two panelists at the ABA Teleconference on the Supreme Court decision in *FERC v. EPSA*. His articles on FERC were published in *Harvard Environmental Law Review* and *U.C. Davis Law Review*.

Chiara Giorgetti was a panelist on the legacy of the Eritrea-Ethiopia Claims Commission at Penn State Law School’s International Arbitration Day. She also was a panelist at George Washington Law School on the legitimacy of international courts and tribunals. Giorgetti presented her paper on challenges and recusals of arbitrators at the faculty workshops at

Florida International and William & Mary. She taught a course on international investment law at the United Nations Regional Course in International Law for Latin America and the Caribbean in Montevideo.

Meredith Harbach was awarded tenure. Her article “Sexualization, Sex Discrimination, and Public School Dress Codes” was published in *University of Richmond Law Review*, and her book review “Forward-Looking Family” was published in *Tulsa Law Review*.



Ann Hodges was quoted in *The Wall Street Journal* regarding the Supreme Court’s decision on public-sector union dues.

Kat Klepfer’s article “Changes to Bankruptcy Forms and Pending Bankruptcy Rules Changes” was published in *Virginia Lawyer*.

Corinna Lain commented on Dean Erwin Chemerinsky’s book *The Case Against the Supreme Court*



at a program at Vanderbilt Law School and published “Three Supreme Court ‘Failures’ and a

Story of Supreme Court Success” in *Vanderbilt Law Review*. She presented a paper at a symposium on “Judicial Supremacy vs. Departmentalism” at William & Mary Law School and published “Feminist Justice,” a book review, in *The New Rambler*. An excerpt of her forthcoming book chapter, “Following Finality: Why Capital Punishment Is Collapsing Under Its Own Weight,” was published in the Spring 2016 National

Association of Appellate Court Attorneys newsletter. She spoke on a panel on lethal injection at the annual AALS conference in January, and in May, she presented a work in progress, “Disowning Death,” at a mid-Atlantic criminal justice roundtable.

Julie McConnell’s op-ed “Making Juvenile Justice More Humane and Effective” (co-authored with Sue Kennon) was published by *The Virginian-Pilot*. She presented a plenary session at the Virginia Trial Lawyers Convention on interviewing children and was a featured speaker in an ABA teleconference on dismantling the school-to-prison pipeline.

Shari Motro was a panelist in “The State of the Art on Placing Legal Scholarship — and its



Potential Consequences” at the AALS Conference in New York, where she also led guided

mindfulness meditation. She presented at DePaul’s faculty speaker series in February.

Kristen Osenga presented on Telecommunications Industry Association standards in the field of mobile technology at a research roundtable at Northwestern Law School. She was interviewed by various news outlets regarding the Virginia attorney general’s new “patent troll” unit. Her op-ed “Patent ‘Reform’: What We Need First is a Role Reversal” was published on the ACS Blog.

Jack Preis was a panelist in “Equity in the Federal Courts” at the AALS Conference in New York. His article “A Further Note on Federal Causes of Action” was published by *Florida Law Review*.

FACULTY PROFILE

Beyond reasonable doubt

Mary Kelly Tate



In 1999, a man condemned to die for the abduction and murder of a 19-year-old college student asked Mary Kelly Tate and one or two others to spend his last day with him in the death house. She was a young lawyer who had been working on his appeals. The small group spent the day conversing, reminiscing, and

talking about God.

Then that evening, also at his request, Tate and the others witnessed the man’s execution.

“The experience affected me profoundly,” she said. “I found what the state did that day profane.”

The death penalty is as contentious and fraught with moral ambiguities as issues come, but the one principle on which virtually everyone on all sides of the debate agree is that factually innocent people should not be executed.

That simple proposition is the focus of Tate’s work as director of Richmond Law’s Institute for Actual Innocence, which works to identify and exonerate wrongfully convicted individuals in Virginia by pursuing writs of actual innocence and related post-conviction relief. The institute works in partnership with organizations that are part of the Innocence Project network and with a network of pro bono attorneys who assist in federal clemency cases.

It’s an uphill battle for Tate and her students.

“Post-conviction cases are notoriously time-consuming and unlikely to achieve relief,” she said. “Only a tiny fraction of cases obtain relief due to the extraordinary hurdles in place.”

These hurdles are part of the educational experience that clinical work offers students. The real predicaments of actual clients bring an urgency and responsibility that differs from traditional courses and seminars, she said.

“Cases are dynamic and in flux,” she said, “so as a teacher you do not have as much control as you have in other teaching domains.”

But the rewards are just as tangible as the challenges. In 2013, a client was exonerated for a triple abduction he was convicted of in the late 1970s. Even when not as dramatically successful, Tate sees the clinic’s work helping students become more confident and “build the habit of giving to those who need legal services but don’t have the resources.”

—Matthew Dewald

Kimberly Robinson was a panelist in “Reconciling Education Law, Policy, and Governance Under Changing Leadership” at the AALS Conference in New York. Her commentary “Neglecting the Broken Foundation of K-12 Funding” was published in *Education Week*, and she was quoted in *The Wall Street Journal* Law Blog on the transgender bathroom case. She spoke at Emory University, George Washington University, and the University of Texas at Austin about her book *The Enduring Legacy of Rodriguez: Creating New Pathways to Equal Educational Opportunity*.

Noah Sachs’ photography exhibit “India Becoming” was on display at the Weinstein Jewish Community Center in January and February. His article “Should the United States Create Trading Markets for Energy Efficiency?” was published by the Environmental Law Institute, and he was interviewed for the Knowledge@Wharton podcast about congressional reform of the Toxic Substances Control Act.



Doron Samuel-Siegel was promoted to associate professor of legal writing.

Tamar Schwartz was promoted to associate professor of legal writing.



Andy Spalding is the lead author of the *Olympic Anti-Corruption Report: Brazil and the Rio*

2016 Games, an e-book written with a team of former students (see story on Page 5). Spalding was quoted by *The Washington Post* on the Russian doping scandal.

Rachel Suddarth was promoted to associate professor of legal writing.

Allison Tait was a panelist in “Sex and Death: Gender and Sexuality Matters in Trusts and Estates” at the AALS Conference in New York. Her article “The Return of Coverture” was published online by *Michigan Law Review*.

Carl Tobias’ article “Electing Justice Roush to the Supreme Court of Virginia” was published in *Washington & Lee Law Review Online* 360. His op-ed “Republicans Started a Judicial



Vacancy Crisis Long Before Scalia’s Passing” was published in *The Guardian*. He was quoted by media outlets including *The New York Times*, *The Wall Street Journal*, *The Washington Post*, *Financial Times*, the Associated Press, and *Bloomberg Businessweek* on subjects including the GM ignition-switch lawsuit, Supreme Court nominations, transgender bathroom policy, and the impact of Justice Antonin Scalia’s death.

Kevin Walsh was a panelist in “Religious Responses to Same-Sex Marriage” at the AALS Conference in New York. He was also a panelist at the William & Mary Law Review Symposium on “Judicial Supremacy vs. Departmentalism.” He was quoted by the Catholic News Agency on Justice Antonin Scalia’s death, and his tribute to Scalia was published on SCOTUS Blog.

Laura Webb was promoted to associate professor of legal writing.

New Faculty



Erin Collins and **Paul Crane** have joined the faculty in criminal law. Collins was the executive director of the Clemency Resource Center at New York University School of Law and an acting assistant



professor in the NYU Lawyering Program. She graduated from NYU Law in 2006. Crane was a Bigelow Fellow at the University of Chicago Law School. He graduated from University of Virginia School of Law in 2007 and then clerked for Judge J. Harvie Wilkinson III on the 4th Circuit and for Chief Justice John Roberts on the U.S. Supreme Court.

Jud Campbell joined Richmond Law in constitutional law. Campbell was the executive



director of the Constitutional Law Center at Stanford Law School. He graduated from Stanford Law

in 2011 and clerked for Judge Diane Sykes on the 7th Circuit and Judge José Cabranes on the 2nd Circuit.

The warrior-servant

The last tour in Afghanistan was the cruelest one for Marine Albert “Bubba” Flores, L’16 — the ferocity of days-long gunfights and being rocked by an explosive that killed his best friend. It was also a deployment during which he received a Bronze Star for valor.

Combat “is a raw, violent reality that most college students can’t relate to, nor should they,” said Flores, who deployed in Iraq and Afghanistan.

Although his appointment as inaugural commander of a newly formed special ops intelligence unit indicated he was on track for accelerated promotion, he opted to take his experience from active duty and apply it toward a career in public service.

“I thought there was no better way for me to understand the Constitution for which I had been sacrificing my life than to go to law school to learn,” Flores said.

Trading the battlefield for the classroom, he enrolled at Richmond Law, where one of the first things he learned was how challenging it can be for veterans to connect to other students. His saving grace, he said, was the Veterans and Military Law Association, a support network for veterans and students interested in becoming military lawyers.

As president, Flores reinvigorated the efforts of the VMLA at Richmond Law, transforming it from a primarily social organization to one that provides weekly pro bono legal services to veterans seeking disability benefits. Tara Casey, director of the Carrico



GORDON SCHMIDT; INSET PHOTO COURTESY ALBERT FLORES



Flores (left) authorized air strikes during his 2009 tour of Afghanistan.

Center for Pro Bono Service, helps connect VMLA's members with her contacts at the Federal Circuit Bar Association.

Each week, a student assesses the cases on the federal circuit and identifies veterans who are appealing and representing themselves without a lawyer. From there, they work with the Federal Circuit Bar Association to prepare pro bono advocates for court.

More than 30 students were involved in this effort over the past year, and Flores estimates half have no formal connection to the military. They also volunteer for a wills for veterans program in partnership with Williams Mullen and hold events for patients at the Veterans Affairs hospital.

This summer, Flores begins a career in prosecution as a Bridge to Practice fellow in the office of the commonwealth's attorney for Richmond. Though his position requires a focus on criminal law for now, he's eager to stay connected and to re-engage in advocating for the needs of veterans.

“It's a matter of when, not if,” Flores said. “I aim to make advocacy for veterans a central part of my public service.”

— Paul Brockwell Jr.



Dillon Taylor, pictured with U.S. Rep. Bobby Scott, D-Va., interned with a House committee staff.

D.C. externship program launches

Four students who were part of Richmond Law's inaugural D.C. externship program learned that the legal experience gained was as important as the relationships built.

"It's critically important that we establish more ties with Washington, with the opportunities there for our students," said Steve Allred, University professor and director of the program.

In its inaugural semester, the program placed 3L's with congressional committee staffs and various regulatory agencies to gain practical experience and build relationships with professionals working in their areas of specialty.

Dillon Taylor, L'16, put his interest in the intersection of labor and politics to good use and hit the ground running at the U.S. House Committee on Education and the Workforce. He estimates that he

went to 100 different networking meetings, and it paid off. He secured one of 10 honors attorney positions at the U.S. Department of Transportation, a program that receives more than 1,500 applications annually.

Andy Flavin, L'16, had already secured a job in the environmental and natural resources group at Troutman Sanders, but he used his externship at the U.S. Department of Energy to learn more about energy regulation and to gain more practical experience.

At the Federal Communications Commission, Jonathan Mark, L'16, spent his time in the policy division of the media bureau, which helps regulate television and radio stations. His work there culminated in his appointment to a task force to examine the state of independent programmers, work he'll continue now that he's accepted a position in the FCC's attorney honors program.

In addition to their externship

hours, students attended a weekly seminar course, led by Allred, on professional issues and topics of universal importance for lawyers, such as conflicts of interest, ethics, and bias. Students kept weekly journal entries. The course "helped you troubleshoot some of the issues that might arise during your externship," Mark said.

Allred said he anticipates the program will remain small — limited to five to 10 students — and be exclusively for third-year students.

"I expect that we'll get better and better at career placement as we open up new pathways," Allred said. The next class of externs will begin their time in D.C. this fall.

Summer fellowships connect stipends with service

This summer, the Career Development Office moved to fully integrate summer employment with students' legal education through the Summer Public Interest Fellowship Program.

For many students, the program, now more than a decade old, allows them to gain valuable experience in public service law at places that often can't afford to fund summer internships. The fellowship now includes programming and workshops that students must complete before and after their summer jobs.

"This is an opportunity for practical applications of skills, while also being a gut check," said Janet D. Hutchinson, associate dean for career development. "As students gain more information about a career path and skills, they can find out what work they enjoy or don't enjoy. The idea is to promote planning, working, and processing."

— Allison Tinsey, L'18

A long haul for a good cause



THE IMAGE IS FOUND PHOTOGRAPHY

This summer, Laura Boorman, L'13, was on a roll.

Along with her sister, Maggie, she made a 400-mile bike ride across Tanzania, from the base of Mount Kilimanjaro to the Indian Ocean.

Joined by 14 other riders, the Boorman sisters were raising awareness and money for the Foundation for Tomorrow, a charity whose scholarship program guides Tanzanian students through every stage of their education, complementing it with emotional support and activities outside of the classroom.

"Hopefully, the money we raise will help to allow more children in Tanzania the opportunity to learn and pursue their educations unhindered," Boorman said.

Her efforts were inspired, in part, by Richmond Law's engagement with the larger Richmond community.

"Whether it was through internships at local organizations, participation in a legal clinic, or

volunteer work through one of the law school's pro bono endeavors, the law school always reminded us that there was a much larger world outside of the law school building," she said. "I believe that we are all better at our respective jobs — not to mention happier and more well-rounded — when we make time to nurture our interests and passions outside of being lawyers."

To prepare for her trip, Boorman biked around Washington, D.C., where she is an attorney for Venable. Her Tanzanian trek lasted 10 days — from June 18–July 2 — and was documented online at laura-boorman.squarespace.com.

Spider justice

Earlier this spring, a legislative impasse over a seat on the Supreme Court of Virginia ended with the elevation of Stephen McCullough, L'97, to the state's highest court.

At the time of his election by the General Assembly, McCullough

was a judge on the Court of Appeals, which meant his new job as a justice created a vacancy on the state's second-highest court.

The General Assembly filled that seat with Mary Malveaux, L'93, replacing a Spider with a Spider. Malveaux joins fellow alumnae Marla Graff Decker, L'83, and Teresa Chafin, L'87, on the Court of Appeals.

A pro in pro bono

Hunton & Williams named Morgan Brown, L'13, its Richmond pro bono fellow. For the next two years, her time will be entirely committed to pro bono work. Brown will work on Church Hill neighborhood matters and assist with a variety of family law cases. A substantial portion of legal work is performed for Central Virginia Legal Aid, but she'll be fully integrated into the firm while serving in this role.

CLASS NOTES

Class news, alumni profiles, and events

We want to hear from you. Send us your note via the “Submit a Class Note” link at lawmagazine.richmond.edu; email us at lawalumni@richmond.edu; or contact us by mail at Law Alumni, University of Richmond School of Law, University of Richmond, VA 23173, or at 804-289-8028.

1960s

Ronald Williams, L'62, offers his personal reflections in a book published by Outskirts Press, *Memories and Reflections of an Old Lawyer: Grant Golden Tablets of Memories*.

Irving Blank, L'67, assumed the presidency of the Virginia Law Foundation on Jan. 1. He is a partner at ParisBlank in Richmond.

1970s

The Virginia State Bar honored **Carl J. Witmeyer II, L'76**, with the Betty A. Thompson Lifetime Achievement Award in family law. He has been a litigator for 40 years with Witmeyer Law Firm in Richmond.

WFG National Title Co. named **Thomas Klein, L'78**, senior vice president overseeing the company's national agency division. He previously served the company as senior vice president,

southeast region. He also has been vice president with national consulting firm Alliance Solutions and was founder and president of Virginia Escrow & Title Co.

Centesimus Annus Pro Pontifice (CAPP) of Fairfield County, Conn., and Fairfield University's Center for Faith and Public Life presented **Brian E. Moran, L'78**, the Business Leadership Award for his philanthropic work as founder of the SUCCESS Foundation (Students Undertaking College Career-Enhancing Study Skills) and his efforts on behalf of the Malta Justice Initiative, which advocates for criminal justice reform. SUCCESS runs a three-week summer-study program for low-income ninth-graders with college potential. The program also received a Gold CQIA Innovation Prize from the Connecticut Quality Improvement Award Partnership.

Kenneth Powell, L'78, has joined Wells Fargo Private Bank as a wealth adviser.

1980s

Broaddus Fitzpatrick, L'80, completed two years as chair of the board of trustees of the Blue Ridge Parkway Foundation, a nonprofit organization based in Winston-Salem and Asheville, N.C. He says the organization has provided almost \$10 million since

1997 “to fund parkway projects that enhance visitors’ experiences and preserve what makes the parkway and its environs unique.”

Norman Krumenacker III, L'80, is the presiding judge for Cambria County, Pa. He has been a judge in the county for 24 years, after working as a public defender.

After 28 years, **William F. “Bill” Neely, L'81**, left office as the longest-serving commonwealth’s attorney for Spotsylvania County, Va. He began his career as a part-time assistant prosecutor, becoming the county’s first full-time prosecutor in 1988. He worked on the sniper shooting case that terrorized Northern Virginia in 2002 and an abduction and slaying of three young girls that generated national attention.

Michael P. Rummel, L'81, writes that his two grandchildren, Stefan and Teodora, from Cacak, Serbia, entered the U.S. as lawful permanent residents in April. They currently live with him in La Mesa, Calif.

John C. Ivins Jr., L'83, is partner and chair of the health care practice group with Hirschler Fleischer in Richmond. He sings and plays guitar with the John Ivins Worship Band, a Christian rock band.



On Friday during Reunion Weekend, alumni could attend college sessions where they engaged with faculty on special topics. Saturday night, the annual reunion dinner at the Virginia Museum of Fine Arts was a hit. Here are photos from the Classes of 1976, 1981, and 2006.

Frost Burnett Telegades, L'85, is a business intake and conflicts lawyer with Hunton & Williams. Her department also includes **Karen Lebo, L'86**, and **Sharon Maitland Moon, L'88**. The department provides ethics and business conflict assistance for the firm's 750-plus lawyers worldwide.

James W. Shortt, L'88, chairs the board of directors of Cardinal Bankshares Corp., the holding company for Bank of Floyd. He previously was vice chair of the board and has been a Cardinal and Bank of Floyd member since 2012. He is the founding partner and owner of James W. Shortt & Associates.

Donald Thornley, L'88, is seeking employment in the greater Richmond area to be closer to his children and grandchildren.

John W. Paradee, L'89, was chosen by his peers for the Top Lawyers 2015 list for land use and zoning law in *Delaware Today* magazine.

Kimberlee Harris Ramsey, L'89, has been named president at FloranceGordonBrown. She practices in the domestic relations section.

1990s

Michele Mulligan, GB and L'90, is a founding partner of Golightly Mulligan & Booth in Richmond. The firm has opened a new office in Chesapeake, Va., and named **Mary Morgan, L'00**, partner. Partners **Scott Golightly, L'98**, and **Jerry Booth, L'92**, complete the firm, now named Golightly Mulligan & Morgan.

Tony Newman, L'90, joined the general counsel's office of Akin Gump Strauss Hauer & Feld in July 2015. He relocated to Washington, D.C., after being with McGuireWoods in Richmond for seven years. Prior to joining McGuireWoods, he was a solo practitioner in Atlanta for 10 years in wealth management, financial restructuring, and tax.

Trial ace

Stephanie Grana, W'90 and L'93



When people talk about Stephanie Grana, they usually point out her compassion for her clients and her relentless devotion to winning through hard work.

That's part of the reason Grana, a partner with Cantor Stoneburner Ford Grana & Buckner, was elected to lead the Virginia Trial Lawyers Association. She also credits her parents' emphasis on competition and the expectation she would always keep learning. She and her brother "heard 'no pain, no gain' a lot growing up," Grana recalls. "The thinking was always if you're going to do something, you're going to do the best you can."

Though her family had no lawyers of whom she was aware, from her earliest memory Grana had planned a legal career and knew she had an interest in deep preparation and debate.

After attending Richmond on a swimming scholarship, Grana stayed at UR for law school because of the relationships she had formed. After some early struggles — "Law school is very conceptual; that took some getting used to" — she graduated cum laude. She also met her husband, Scott Bemberis, R'89 and L'93, in law school. They married in 1996.

Her legal work has focused on medical malpractice, an area that attracted Grana, she says, because of the "legal detective work" involved. Soon, she began winning a number of large cases. Her secret weapons, she says, are hard work and preparation: "I may not be the smartest lawyer in the courtroom, but I will always be the best-prepared."

Grana is also active in a variety of legal associations, serving on the leadership of the Metropolitan Richmond Women's Bar Association and on the board of governors of the Virginia Trial Lawyers Association. She led VTLA's Young Trial Lawyers group in 2000.

In April 2008, Grana's life was shaped dramatically by the loss of both her brother and father, experienced pilots who died when the plane her brother was piloting crashed. The two were the only casualties, and the family struggled with the loss.

Grana found solace by taking taekwondo lessons with her son — before the crash, her father had taken him to the lessons — eventually earning a black belt. She continued her volunteer work, most recently through her term as president of the VTLA's executive council. She says she hopes to bolster the group's membership among personal-injury attorneys and women.

In time, Grana says, she has found strength in the lessons about work and life her father and brother shared. Their lives and deaths "changed who I am," she says. "It made me so determined to live life to the fullest. There is not a day that goes by that I don't think about them."

—Greg Weatherford

Victor Narro, L'91, received the Giants of Justice Award from Clergy and Laity United for Economic Justice (Los Angeles) and the Ambassador Award from the Building Skills Partnership of Service Employees International Union. He is a lecturer in law at UCLA, where he teaches public interest law and community lawyering.

Jamie Shoemaker Jr., L'91, is a member of the 2015 Legal Elite. He is a partner at Patten, Wornom, Hatten & Diamonstein in Newport News, Va.

Keisha Dawn Bell, L'93, was appointed general counsel of the Defense Contract Management Agency, where she began working in 2013.

New Hampshire Gov. Maggie Hassan nominated **John T. Pendleton, L'93**, to serve on the Circuit Court. Pendleton is an owner of Dwyer Donovan & Pendleton in Portsmouth, N.H., practicing in several areas, including criminal litigation, utility and water issues, and landlord-tenant law.

Tom Winn, L'93, is a principal in the labor and employment group at Woods Rogers. His practice focuses on human resources consulting, employment litigation, and traditional labor issues. Best Lawyers in America named him a 2016 Roanoke Lawyer of the Year for labor law-management.

The YWCA of Greater Richmond honored **Lakshmi Challa, L'94**, at the Outstanding Women Awards luncheon. She is executive director of Challa Law Offices.

The Yale Law Library named **Teresa Miguel-Stearns, L'94**, its new director.

David F. Bernhardt, L'95, has been named treasurer at FloranceGordon-Brown. He practices in the business law and real estate practice groups.

Virginia Professional Communicators named **Bonnie Atwood, L'96**, Communicator of Achievement for 2016.

Alice G. Givens, L'97, has joined Ruth's Hospitality Group, parent company of Ruth's Chris Steak House, as vice president-general counsel, chief compliance officer, and corporate secretary. She has nearly 20 years of corporate legal experience, most recently as vice president and associate general counsel at J.Crew Group.

The United Network for Organ Sharing (UNOS) named **Jason Livingston, L'97**, its general counsel in February. He had been assistant general counsel since 2008. UNOS, a nonprofit organization based in Richmond, operates the nationwide organ transplantation network.

Patrick Skelley, L'97, was appointed county attorney for Bedford County, Va. He clerked for a federal bankruptcy judge for a year after receiving his degree and then moved to Bedford County. He has worked for the county for nine years and became senior assistant county attorney in 2009.

Bridgette Regena Parker Bowman, L'98, was appointed a disproportionate minority contact compliance officer

for the Juvenile Court of Memphis and Shelby County, Tenn.

Brent Saunders, L'98, was promoted to senior assistant bar counsel with the Virginia State Bar.

Alan Vaughan, L'98, was named senior vice president in capital markets at the Richmond office of CBRE.

VitalPet appointed **Clint Vranian, L'98**, vice president of acquisitions and general counsel. He has spent 15 years in the animal health industry and works in Houston.

Greg Giannakopoulos, L'99, joined Needham & Co. in New York as head of institutional sales.

Jeffrey L. Harvey, L'99, was named a BTI Client Service All Star for 2016. He is a corporate partner at Hunton & Williams.

2000s

Richmond-based firm Golightly Mulligan & Booth became Golightly Mulligan & Morgan and added an office in Chesapeake with the addition of partner **Mary Morgan, L'00**, formerly of Cooper, Spong & Davis in Portsmouth, Va. Mary focuses on professional liability defense and defense of bar complaints. She is president of the Norfolk and Portsmouth Bar Association, a director-at-large for the Virginia Association of Defense Attorneys, secretary of the James Kent American Inn of Court, and a past president for the Hampton Roads Chapter of the Virginia Women Attorneys



Alumni enjoyed the chance to catch up with classmates at receptions throughout the city on Friday evening of Reunion Weekend.

Association. She also is the chair of the board of directors for Edmarc Hospice for Children.

Reis D. Alsberry, L'03, is director of the Florida A&M University's Office of Technology Transfer. He is active in developing new partnerships to assist faculty, staff, and students with their entrepreneurial pursuits and bring their innovations and inventions to market.

Douglas Burtch, L'03, has opened Burtch Law in Richmond, where he will continue to focus on employment law matters.

Howick, Westfall & Kaplan named **Christopher S. Cooper, L'03**, a partner at the firm. He has been practicing commercial finance and real estate law in his hometown of Atlanta for more than 10 years.

Adam Kinsman, L'03, was named attorney for James City County, Va. He joined James City County as assistant county attorney in 2005.

Jon Kukulski, L'03, has joined Health Carousel in Cincinnati as general counsel and vice president of business development.

Katharina Kreye Alcorn, L'04, has been promoted to partner at Midkiff, Muncie & Ross.

Ben Barlow, L'04, joined the litigation practice group at Dunlap Bennett & Ludwig and works out of the firm's Leesburg, Va., office.

H. Clay Gravely IV, L'04, and his wife, Jennifer, welcomed their first child, Harry Clay Gravely V, who goes by Quinn, in February. The family lives in Martinsville, Va.

Matthew Rash, L'04, was elevated to partner at McGuireWoods in the real estate and land use section of the Richmond office.

Ryan D. Frei, L'05, was elevated to partner at McGuireWoods in the business and securities litigation section.

ALUMNI PROFILE

First Amendment defender

Amandeep Sidhu, L'05



Within hours of the Sept. 11 attacks in 2001, Amandeep Sidhu received reports from friends of violence against the Sikh community. The most vivid one, he said, involved an elderly man who was beaten while walking to temple to pray for the attack's victims.

These events inspired Sidhu to join a group of volunteers to publicize what was happening in the Sikh community. At the time, he was studying for the LSAT and applying to law schools.

"We had our work cut out for us," Sidhu said. "There was a need to focus on hate crimes, airport profiling, and employment discrimination."

Since graduation, he's been steadily chipping away at grooming restrictions that prevent Sikhs from serving in the armed forces. Around half a million Sikhs live in the U.S., but since the 1980s, the military has required clean-shaven, high-and-tight conformity. Sikh faith requires men to leave their hair and beards uncut. Many wrap their hair in turbans, which also violates military regulations.

During his second year as an associate, Sidhu brought in the Sikh Coalition as a pro bono client. In 2009 and 2010, he helped win individual accommodations for three Sikh servicemen serving as dentists and doctors. They represented the first Sikhs allowed to serve in the military in more than 25 years.

"Part of that is changing hearts and minds and exposing key decision makers to the personalities and human side of who these soldiers and officers are," Sidhu said.

His legal success required demonstrating that Sikhs could retain their beards without causing issues for gas masks and that camouflage turbans could alleviate concerns about standing out in combat.

In March, Sidhu's firm won a restraining order and temporary injunction to block discriminatory testing of a West Point graduate's beard. Since then, it has also helped three other clients gain accommodations and begin basic training for other service branches.

"The Department of Defense is the largest employer in the world," Sidhu said. "If the military has the door closed to bearded, turban-wearing Sikhs, it sends a message to private employers. This case is a potential game changer for the Sikh community and pushes the envelope in a meaningful way."

—Paul Brockwell Jr.

The Hanover Bar Association honored **Shari Lynne Skipper, L'05**, with the Nina Kilian Peace Award for exemplifying the highest ideals and aspirations of service to the legal profession and to the community.

Anna Parris Walker, L'05, and her husband, Bob, welcomed their daughter, Caroline Parris Walker, in March. The family lives in Durham, N.C., where Anna is director of alumni programs at Duke Law School.

Kennon Poteat, L'06, is a partner at Williams & Connolly in Washington, D.C. He has litigated matters in federal and state courts across the country and arbitration panels here and abroad. He lives in D.C. with his wife and children.

Stephen "Steve" Rancourt, L'06, was included in the *Wichita Falls (Texas) Times Record News*' 20 Under 40 list for 2015. He is a misdemeanor chief and felony prosecutor for the Wichita County district attorney's office.

Hunton & Williams promoted **Michael P. Goldman, L'07**, to counsel. He joined the firm in 2007 following graduation, and his practice focuses on domestic and cross-border mergers and acquisitions and other strategic transactions for both public and private companies.

Kristen Johnson, L'07, began a new job with the Virginia Community College System and the Virginia

Foundation for Community College Education as advancement services and foundation coordinator.

Hunton & Williams promoted **Hillary Patterson, L'07**, to counsel. She joined the firm in 2007, following graduation from law school. Her practice focuses on commercial lending, loan workouts and restructurings, and business law.

Jack Robb, L'06, and **Sarah Flynn Robb, L'08**, were named to *Style Weekly's* 40 Under 40 class of 2015. Jack works for LeClairRyan, specializing in construction and real estate law. Sarah works in the Virginia attorney general's office, dealing with sexually violent predators and aid for victims. Both volunteer for the Richmond Society for the Prevention of Cruelty to Animals.

Mary Wilkins Hunt, L'08, was named a partner at Family Law Associates of Richmond, where **Nancy Cook, L'95**, is senior partner and **Natalie McLearn, L'12**, is an associate.

Allison Perry Monger, L'08, and her husband, Tyler, welcomed a daughter, Susan Gray, in February. Allison is senior counsel in Capital One's litigation department.

Sarah Flynn Robb, L'08, and **Jack Robb, L'06**, were named to *Style Weekly's* 2015 40 Under 40 class. Sarah works in the Virginia attorney general's office, dealing with sexually violent predators and aid for victims. Jack works for LeClairRyan, specializing in construction and real estate law. Both volunteer for the Richmond Society for the Prevention of Cruelty to Animals.

Anne L. Roddy, L'08, has joined the domestic relations section of FloranceGordonBrown as an associate.

Frank Hupfl, L'11, joined Geoff McDonald & Associates as an associate. He leads the firm's wage and hour practice group and represents clients in workers' compensation and other issues related to workplace relationships.

David Tait, L'11, has joined the Richmond office of Sands Anderson.

Wes Charlton, L'12, joined Dunton, Simmons, and Dunton as an associate attorney. His practice focuses on civil litigation, estate planning, and corporate-business law. Prior to law school, he was signed to Judy Collins' Wildflower Records as a writer and recording artist. His original songs have been featured in numerous television shows and films.

David Gustin, L'13, is a corporate associate with ThompsonMcMullan after serving as a judicial law clerk at the Court of Appeals of Virginia. He externed in the office of the U.S. attorney and for Hannah M. Lauck, U.S. magistrate judge. He focuses on the business and income tax aspects of small to medium-sized businesses, business formations, contracts, acquisitions, sales, and general business law matters.

Spencer Guld, L'15, has joined Vandeventer Black. He concentrates his practice in professional liability, commercial litigation, and employment matters.

Viktoriia De Las Casas, L'15, joined Akin Gump Strauss Hauer & Feld as a staff attorney. She works in the firm's environment, natural resources, and land practice.

Jeffrey P. Miller, L'15, joined the law firm of Harman Claytor Corrigan & Wellman as an associate, with a practice in general civil litigation.

IN MEMORIAM

Robert F. Babb, L'49,
of Newport News, Va.
Oct. 11, 2015

James M. Minor Jr., L'49,
of Henrico, Va.
Nov. 13, 2015

Joseph F. Spinella, L'50,
of Richmond
Jan. 15, 2016

Harvey S. Lutins, L'54,
of Roanoke, Va.
Nov. 2, 2015

Thomas W. Moss Jr., L'56,
of Norfolk, Va.
Nov. 26, 2015

Frederick Hillary Creekmore Sr., R'60 and L'63, of Chesapeake, Va.
Jan. 30, 2016

H. Martin Robertson, L'67,
of Prince George, Va.
Jan. 6, 2016

Rabbi Paul Laster, L'67,
of Jerusalem
April 21, 2016

2010s

Virginia Business named **Faith Alejandro, L'10**, one of its 2015 Legal Elites in the category of young lawyer (under 40). She was also promoted to counsel at Sands Anderson.

“Creating a gift annuity meant I did not have to choose between saving for my retirement and making a gift to the University of Richmond Law School. Now that I am retired, the University is paying me — and ultimately, my gift will benefit the law school.”

—Janice Moore, L’81

Gift annuity

- Dependable, fixed income for life
- An income tax deduction
- The satisfaction of supporting Richmond Law’s future

Age	Rates (May 2016)	Charitable Deduction
60.....	4.4%.....	\$2,410
65.....	4.7%.....	\$3,096
70.....	5.1%.....	\$3,798
75.....	5.8%.....	\$4,348
80.....	6.8%.....	\$4,850
85.....	7.8%.....	\$5,543

Based on a gift of \$10,000 cash

Doing well and doing good

For information on gift annuities and other ways to reduce your taxes while helping Richmond Law, contact Karen Thornton at 804-287-6463 or karen.thornton@richmond.edu.

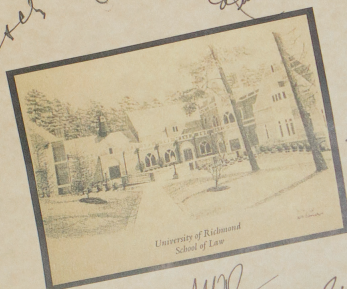


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Congratulations Class of 2016



Honor roll

Commencement happens too soon after finals for diplomas to be officially awarded. Instead, 2016 graduates received this neatly rolled stand-in bearing the congratulations of the law faculty. Holding this copy is Bubba Flores, L'16, a veteran. Read his story on Page 25.